

# HB0119S05 compared with HB0119S04

~~{Omitted text}~~ shows text that was in HB0119S04 but was omitted in HB0119S05  
inserted text shows text that was not in HB0119S04 but was inserted into HB0119S05

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1 **Automotive Repair Business Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Colin W. Jack**  
Senate Sponsor: Don L. Ipson



2  
3 **LONG TITLE**

4 **General Description:**

5 This bill amends provisions relating to automotive repairs.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines "OEM aftermarket crash part";
- 9 ▶ enacts notice requirements relating to aftermarket crash parts at the time of issuance and renewal;
- 9 ▶ ~~{requires that}~~ amends notice requirements relating to the written estimate when an insurer ~~{disclose}~~ authorizes or specifies the use of a non-OEM aftermarket ~~{crash part on an application for a policy of insurance}~~ part;
- 11 ▶ ~~{provides that if an insurer does not disclose the use of a non-OEM aftermarket crash part in an application for a policy of insurance, a repair facility or installer may not use a non-OEM aftermarket crash part in a repair;}~~
- 14 ▶ ~~{requires that an insurer use non-OEM aftermarket crash parts that are similar to OEM aftermarket crash parts;}~~

**HB0119S04**

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16           ▶ provides that the commissioner of the Insurance Department and the Insurance Department are  
not required to administer or enforce a provision this bill enacts; and

18           ▶ makes technical changes.

### 16 **Money Appropriated in this Bill:**

17           None

### 18 **Other Special Clauses:**

19           None

### 20 **Utah Code Sections Affected:**

21 AMENDS:

22           **31A-22-317** , as renumbered and amended by Laws of Utah 1995, Chapter 8

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25 *Be it enacted by the Legislature of the state of Utah:*

26           Section 1. Section **31A-22-317** is amended to read:

#### 27           **31A-22-317. Definitions.**

          As used in Sections 31A-22-316 through 31A-22-319:

- 32 (1) "Aftermarket crash part" means a replacement for any of the nonmechanical sheet metal or plastic  
parts that generally constitute the exterior of a motor vehicle, including inner and outer panels.
- 35 (2) "Installer" means an individual who replaces or repairs the parts of a motor vehicle.
- 36 (3) "Insurer" means an insurance company and any person authorized to represent the insurer with  
respect to a claim.
- 38 (4) "Nonoriginal equipment manufacturer" or "non-OEM" means a manufacturer of replacement parts  
for a different manufacturer's equipment.
- 40 (5) "Non-OEM aftermarket crash part" means an aftermarket crash part not made for or by the  
manufacturer of the motor vehicle.
- 42 (6) "OEM aftermarket crash part" means an aftermarket crash part made for or by the manufacturer of  
the motor vehicle.
- 44 [(6)] (7) "Repair facility" means any motor vehicle dealer, garage, body shop, or other commercial  
entity that repairs or replaces those parts that generally constitute the exterior of a motor vehicle.

44           Section 2. Section **31A-22-319** is amended to read:

#### 45           **31A-22-319. Prohibition on insurer requiring certain parts -- Disclosure.**

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- 49 (1) Unless ~~[the insured is given]~~ an insurer gives an insured notice in writing an insurer may not specify  
the use of non-OEM aftermarket crash parts in the repair of an insured's motor vehicle.~~[-The~~  
notice ~~required by Subsection (1)~~ shall identify non-OEM parts as not made for or by the vehicle  
manufacturer.]
- 53 [(2) Unless the consumer is given notice in writing prior to installation, a repair facility or installer may  
not use non-OEM aftermarket parts to repair a vehicle.]
- 55 (2)
- (a) ~~{If an}~~ For a policy issued on or after October 1, 2026, the insurer ~~{intends}~~ shall provide to ~~{use~~  
non-OEM aftermarket crash parts in } the ~~{repair of an insured's or a potential insured's vehicle }~~  
insured, at the ~~{insurer shall include on each application }~~ time of issuance and renewal , a written  
notice stating that the insurer ~~{provides to an insured or a potential insured}~~ may authorize or  
specify the ~~{following disclosure on the application or renewal application, in at least 10-point~~  
font: "This application is based on the } use of ~~{non-OEM}~~ aftermarket crash parts ~~{authorized by~~  
your insurance carrier and supplied by a source other than } in the ~~{manufacturer}~~ event of ~~{your~~  
vehicle."} a covered loss.
- 62 (b) ~~{If an}~~ An insurer ~~{does not give an insured or potential insured}~~ may provide the notice described  
in ~~{writing}~~ Subsection (2)(a) electronically in accordance with ~~{Subsection (2)(a), a repair facility~~  
or installer may not use non-OEM aftermarket crash parts to repair a vehicle } applicable law.
- 65 ~~{(3)}~~ ~~{f}~~ }
- 58 (c) The notice described in Subsection (2)(a):  
is informational only and does not create, expand, or alter coverage or obligations under the policy;  
and
- 61 (ii) shall include the following disclosure in at least 10-point font: "In the event of a covered loss, the  
insurer may authorize or specify the use of aftermarket crash parts supplied by a source other than  
the manufacturer of your vehicle. Parts used in the repair of your vehicle by a manufacturer other  
than the original manufacturer are required to be at least equal in kind and quality in terms of fit,  
quality, and performance to the original parts they are replacing."
- 67 (3) [In all instances where non-OEM aftermarket crash parts are intended for use by an insurer{ } When  
an insurer intends to use a non-OEM aftermarket crash part }:] When an insurer authorizes or  
specifies the use of a non-OEM aftermarket crash part,
- 67 (a) the written estimate shall:

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68 (i){(a)} [-]clearly identify each non-OEM aftermarket crash part; and  
69 {f(b){f}} {(ii)-} [a disclosure document containing the-] contain the following statements disclosure  
in [10-point or larger type shall appear on or be-] at least 10-point font, that appears on or is attached  
to the insured's copy of the estimate: "This estimate has been prepared based on the authorization  
of your insurer and the use of aftermarket crash parts supplied by a source other than the not  
made by the original manufacturer of your motor vehicle. Parts used in the repair of your vehicle  
that are made by a manufacturer other than the original manufacturer are required to be at least  
equivalent in kind and quality in terms of fit, quality, and performance. Warranties applicable to  
these replacement parts are provided by the manufacturer or distributor of these parts rather than the  
manufacturer of your vehicle."

82 (4) Nothing in this section:

83 (a) creates an express or implied warranty by the insurer beyond the terms of the policy of insurance;

85 (b) requires an insurer to provide coverage for OEM aftermarket crash parts unless the coverage is  
expressly provided in the policy; or

87 (c) prohibits the voluntary use of OEM aftermarket crash parts.

88 (5) {:-} Notwithstanding Sections 31A-2-101 and 31A-2-201, the department and the commissioner are  
not required to administer or otherwise enforce Subsection (3).

76 {~~(b) the insurer shall ensure that the non-OEM aftermarket crash part used is equivalent to like, kind,~~  
~~quality, safety, fit, and performance of an OEM aftermarket crash part.~~}

78 {~~(4) Notwithstanding Sections 31A-2-101 and 31A-2-201, the department and the commissioner are not~~  
~~required to administer or otherwise enforce Subsection (3).~~}

90 Section 3. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

3-2-26 10:48 AM